

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

AS AMENDED

BILL NO. 94-14
AS AMENDED

Introduced by Council President Wilson at the request of the County Executive
Legislative Day No. 94-7 Date March 1, 1994

AN ACT to add the definition of "agricultural product" to Section 267-4. Definitions, of Article I, General Provisions, of Part I, Standards; to repeal and reenact, with amendments, the definition of "Agricultural Retail" of Section 267-4, Definitions, of Article I, General Provisions, of Part 1, Standards; and to repeal and reenact, with amendments, Subsection D(8) of Section 267-26, Accessory Uses and Structures, of Article V, Supplementary Regulations, of Part 1, Standards; and to repeal and reenact, with amendments, Section 267-34 C, Agricultural District, of Article VI, District Regulations, of Part 1, Standards; and to repeal and reenact, with amendments, Table I: Principal Permitted Uses for Specific Zoning Districts: Retail Trade; all of Chapter 267, Zoning, of the Harford County Code, as amended, to clarify the definition of Agricultural Retail and generally relating to Agricultural Retail.

By the Council, March 1, 1994

Introduced, read first time, ordered posted and public hearing scheduled

on: April 5, 1994

at: 6:00 p.m.

By Order: James D. Vannoy, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on April 5, 1994, and concluded on, April 5, 1994

James D. Vannoy, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

in the district. Entrances and exits to the required parking area shall be at least fifty (50) feet from any intersection on a local road and one hundred (100) feet from all other road intersections.

Article VI. District Regulations

§ 267-34. AG Agricultural District.

C. Specific regulations. The following uses are permitted, subject to the additional requirements below:

- (1) Agriculture, provided that all buildings associated with this use, including farmhouses, barns and silos, meet the required minimum setbacks for principal uses. The operation of machinery, when used for agricultural activities, shall be permitted at any time. Buildings in which animals are housed or kept shall comply with the following setbacks from adjacent residential lots:

Number of Animal Units	Setback from Adjacent Residential Lot (feet)
1 to 2	50
3 to 10	100
11 or more	200

- (2) AGRICULTURAL RETAIL SALES, PROVIDED THAT THE PROPERTY IS ZONED AG-AGRICULTURAL, RECEIVES AN AGRICULTURAL ASSESSMENT AND THAT NO MORE THAN 20% OF THE TOTAL AREA OF THE AGRICULTURAL RETAIL USE OR STRUCTURE IS DEDICATED TO NON-AGRICULTURAL PRODUCTS. FOR THE PURPOSES OF THIS PARAGRAPH, "NON-AGRICULTURAL PRODUCT" INCLUDES ANY PROCESSED FORM OF AN AGRICULTURAL PRODUCT.

- [(2)] (3) Residential development, on parcels as described in the land records of February 8, 1977, as provided below:

- 1 (a) One (1) lot shall be permitted on any parcel of land that is less than eleven (11)
2 acres.
- 3 (b) Two (2) lots shall be permitted on any parcel of land that is from eleven (11)
4 acres to nineteen and ninety-nine hundredths (19.99) acres.
- 5 (c) An additional lot shall be permitted for each additional ten (10) acres in excess
6 of twenty (20).
- 7 (d) An additional lot shall be permitted for any member of the immediate family of
8 persons who were individual owners of record (not corporate, partnership or
9 joint-venture owners) of the parcel. Immediate family shall be limited to
10 fathers, mothers, brothers, sisters, sons and daughters.
- 11 (e) Any new lot created pursuant to Subsection (C(2))(a) through (d) above shall be
12 a minimum of two (2) acres unless the lot is located in an Agricultural
13 Preservation District established pursuant to § 2-501 et seq. of the Agriculture
14 Article of the Annotated Code of Maryland, then the lot size shall be that as
15 approved by the state. In the event that the primary parcel is removed from the
16 district, the owner shall submit a revised subdivision plan, establishing a
17 minimum lot size of two (2) acres. At such time, the owner or his successors
18 in title shall prepare and record the necessary deeds for the two-care conveyance
19 and shall notify, in writing, the Department of Planning and Zoning of the
20 conveyance.
- 21 (f) The development rights created herein may be transferred pursuant to
22 [Subsection C(3)] SUBSECTION C(4) below.
- 23 [(3)] (4) Development rights established in [Subsection C(2)] SUBSECTION C(3) may
24 be transferred from one parcel to another parcel, either contiguous thereto or within
25 five hundred (500) feet therefrom, within this district in accordance with the
26 following:
- 27 (a) All development rights shall be transferable except one (1) right for each

Section 1. Be It Enacted By The County Council of Harford County, Maryland, that the definition of "agricultural product" be, and it is hereby, added to Section 267-4, Definitions, of Article I, General Provisions, of Part 1, Standards; that the definion of "Agricultural Retail" of Section 267-4, Definitions, of Article I, General Provisions, of Part 1, Standards, be and is hereby repealed and reenacted, with amendments; and that Subsection D(8) of Section 267-26, Accessory Uses and Structures, of Article V, Supplementary Regulations, of Part 1, Standards, be and is hereby repealed and reenacted, with amendments; and that Section 267-34 C, Agricultural District, of Article VI, District Regulations, of Part 1, Standards, be and is hereby repealed and reenacted, with amendments; and to repeal and reenact, with amendments, Table I: Principal Permitted Uses for Specific Zoning Districts: Retail Trade; all of Chapter 267, Zoning, of the Harford County Code, as amended, all to read as follows:

Chapter 267. Zoning

Part 1. Standards

Article I. General Provisions

§ 267-4. Definitions.

AGRICULTURAL PRODUCT - LIVESTOCK, ANY AGRICULTURAL, FORESTRY, HORTICULTURAL, VEGETABLE, OR FRUIT PRODUCT OF THE SOIL, AND ANY EXTRACTION OF SUCH A PRODUCT.

AGRICULTURAL RETAIL — [Sales] THE SALE of agricultural products. [, accessory to an agricultural use.]

Article V. Supplementary Regulations

§ 267-26. Accessory uses and structures.

D. Accessory uses in agricultural and residential districts. The following accessory uses shall be permitted in agricultural and residential districts upon issuance of a zoning certificate, unless otherwise specified, in accordance with the following:

- (8) Agricultural retail GROWN ON SITE, provided that the parcel has sufficient road frontage to ensure safe ingress and egress. Any permanent structure shall meet the minimum front, rear and side yard requirements for principal agricultural structures

1 existing dwelling unit, provided that in no event shall less than one (1) right be
2 retained with the parcel. The right to a family conveyance shall not be
3 transferable.

4 (b) Contiguous parcels under common ownership may be considered one (1) parcel.

5 (c) Development rights shall only be transferred by agreement, deed, easement or
6 other written instrument, which shall be recorded among the land records of the
7 county. The document shall limit future development in accordance with these
8 provisions.

9 [(4)] (5) Conversion of existing single-family detached dwellings to accommodate not
10 more than four (4) dwelling units shall be permitted in accordance with the following:

11 (a) The minimum lot size shall be two (2) acres.

12 (b) The lot shall contain at least one (1) acre for each dwelling unit.

13 (c) A minimum of two (2) off-street parking spaces shall be provided for each
14 dwelling unit.

15 [(5)] (6) Rubble landfills are permitted in accordance with § 267-40.1 of this chapter.

16 [(6)] (7) Fire stations with fire station assembly halls shall be permitted in accordance
17 with the following:

18 (a) Access to the fire station and the fire station assembly hall shall be from a road
19 designated as principal arterial or minor arterial in the major road plan; and

20 (b) Only 1 fire station with a fire station assembly hall is permitted in the AG
21 District for each volunteer fire company.

22 Section 2. And Be It Further Enacted that this act shall take effect sixty (60) calendar days from
23 the date it becomes law.

EFFECTIVE: July 11, 1994

Table I:
Principal Permitted Uses for Specific Zoning Districts:

RETAIL TRADE

USE CLASSIFICATION	ZONING DISTRICTS															
	AG	RR	R	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	GI	ORI
AGRICULTURAL RETAIL	P									P	P	P	P	P		
Antique shops, art galleries and museums	SE									P	P	P	P	P		
Auction houses, animal										SE			SE	P	P	
Auction houses, other than animal	SE									P		P	P	P	P	
Christmas tree sales	T	T		T	T	T	T		T	T	T	T	T	T	T	
Convenience goods stores										P	P	P	P	P		
Farmers co-ops	P									P	P	P	P	P	P	
Feed and grain mills	P									P				P	P	
General merchandise stores										P			P	P		
Hawkers and peddlers										T		T	T	T		
Liquor stores										P		P	P	P		
Integrated community shopping centers (ICSC)											SD	SD	SD			
Shopping centers										P	P	P	P			
Shoppers merchandise stores										P		P	P	P		
Specialty shops							SD		SE	P	P	P	P	P		

KEY: "P" indicates permitted subject to applicable code requirements.
 "SD" indicates permitted subject to special-development regulations, pursuant to Article VII.
 "SE" indicates permitted subject to special-exemption regulations, pursuant to Article VIII.
 "T" indicates permitted subject to temporary-use regulations, pursuant to § 267-27.
 A blank cell indicates that the use is not permitted.

94-14

HARFORD COUNTY BILL NO. 94-14 (as amended) **AS AMENDED**
 (Brief Title) Agricultural Retail Sales

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

James D. Varnmay
 Acting Secretary
 of the Council

[Signature]
 President of the Council

Date May 3, 1994

Date May 3, 1994

BY THE COUNCIL

Read the third time.

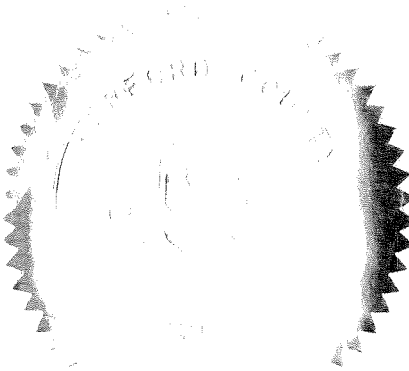
Passed: LSD 94-13 (May 3, 1994)

Failed of Passage: _____

By Order

James D. Varnmay
 Acting Secretary

Sealed with the County Seal and presented to the County Executive for approval this 5th day of May, 1994 at 3:00 p. m.



James D. Varnmay
 Acting Secretary

BY THE EXECUTIVE

Eileen M. Rehmann
 COUNTY EXECUTIVE

APPROVED: Date May 10, 1994

BY THE COUNCIL

This Bill (No. 94-14, as amended), having been approved by the Executive and returned to the Council, becomes law on May 10, 1994.

James D. Varnmay
 Acting Secretary

EFFECTIVE DATE: July 11, 1994

94-14

AS AMENDED